

1 William D. Hyslop  
2 United States Attorney  
3 Eastern District of Washington  
4 David M. Herzog  
5 Assistant United States Attorney  
6 Post Office Box 1494  
7 Spokane, WA 99210-1494  
8 Telephone: (509) 353-2767

9  
10  
11  
12 UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF WASHINGTON

14  
15  
16  
17 UNITED STATES OF AMERICA,

18 Plaintiff,

v.

19 DENNIS MICHAEL HOGAN,

20 Defendant.

Case No.: 2:18-CR-00058-RMP

Renewed Motion for Detention  
Based on New Allegation of  
Violation of Pretrial Release  
Conditions

21 Plaintiff United States, by and through William D. Hyslop, United States  
22 Attorney for the Eastern District of Washington, and David M. Herzog, Assistant  
23 United States Attorney for the Eastern District of Washington, moves for an order  
24 directing that Defendant Dennis Michael Hogan (“Defendant”) be held without  
25 bail pending a preliminary hearing and revocation hearing regarding the terms and  
26 conditions of his pretrial supervised release and an alleged violation contained in a  
petition presented by the United States Probation Office.

27 The United States brings this motion pursuant to Federal Rules of Criminal  
28 Procedure 32.1(a)(6) and 46(d), and 18 U.S.C. § 3143(a).

1 A person arrested for a violation of supervised release may be released or  
2 detained under 18 U.S.C. § 3143(a) pending further proceedings. Fed. R. Crim. P.  
3 32.1(a)(6). Section 3143(a) provides that the judicial officer shall order that the  
4 person be detained, “unless the judicial officer finds by clear and convincing  
5 evidence that the person is not likely to flee or pose a danger to the safety of any  
6 other person or the community” if released. 18 U.S.C. § 3143(a). “The burden of  
7 establishing by clear and convincing evidence that the person will not flee or pose  
8 a danger to any other person or to the community rests with the person.” Fed. R.  
9 Crim. P. 32.1(a)(6). Accordingly, the United States requests the Court enter an  
10 Order ordering that Defendant be detained without bail pending a Probation and  
11 Revocation Hearing.

Counsel for the United States has met and conferred with Defendant's  
13 counsel, Mr. Bevan Maxey, regarding a detention hearing in this matter. The  
14 United States and Defendant anticipate that Defendant will make his initial  
15 appearance on the alleged violation on January 21, 2020, a date on which Mr.  
16 Maxey will be in trial on another matter. The United States and Defendant jointly  
17 request that the Court set a detention hearing for 1:30 p.m. on Friday, January 24,  
18 2020.

20 | Dated: January 21, 2020

William D. Hyslop  
United States Attorney

s/*David M. Herzog*  
David M. Herzog  
Assistant United States Attorney

## **CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the counsel of record.

s/*David M. Herzog*  
David M. Herzog  
Assistant United States Attorney